

## **Minutes of the Board of Public Works Meeting of April 13, 2009**

A regular meeting of the Board of Public Works was held on Monday, April 13, 2009 at 3:30 p.m. at the Division of Public Works, Administration & Engineering Department's conference room, 9 Riverside Street, Nashua, NH 03062.

### Members Present

Mayor Donnalee Lozeau, Chair  
Timothy Lavoie, Vice Chairman  
Donald Dyer, Commissioner  
Daniel Gagnon, Commissioner  
Tracy Pappas, Commissioner

### Also Present

David G. Fredette, Interim Director  
Jeanne Walker, Deputy Manager, Engineering  
Kerry Converse, Interim Superintendent, Solid Waste  
Scott Pollock, Superintendent, Streets  
Joe Mendola, Street Construction Engineer, Engineering  
Sarah Hyland, Recycling Coordinator, Solid Waste  
Kathie Berube, BPW/DPW Admin. Assistant III

David Deane, Aldermanic Liaison

### Visitors

James McNamee, Esquire  
Fred Teeboom, Alderman At-Large

*I. Motion: To approve the Agenda as presented.*

MOTION: Commissioner Pappas to approve the Agenda as presented.

SECONDED: Commissioner Lavoie.

MOTION CARRIED: Unanimous.

*II. Motion: To approve the Minutes of the Board of Public Works Meeting of March 9, 2009 and Special Meeting of April 3, 2009.*

MOTION: Commissioner Gagnon to approve the Minutes of the Board of Public Works Meeting of March 9, 2009 and Special Meeting of April 3, 2009.

SECONDED: Commissioner Pappas.

MOTION CARRIED: Unanimous.

*III. Public Comment- N/A*

*IV. Aldermanic Referrals*

A. **R-09-168- AUTHORIZING THE BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY TO ENTER AGREEMENTS FOR THE SALE AND REDEVELOPMENT OF CERTAIN PARCELS OF LAND OWNED BY THE CITY**  
- (Proposed Amendment made at Committee on Infrastructure Meeting of 3/25/09) The only change was the addition of the last sentence "Provided further..." which is underlined.

Chair Lozeau gave an overview of R-09-168 and discussed with the Board that the property in question is an entry way into the City. She explained that if the David W. Deane Skateboard Park and the practice ball field needed to be relocated that the developer would incur the associated costs.

MOTION: Commissioner Pappas to forward a favorable endorsement of R-09-168 to the Board of Aldermen.

SECONDED: Commissioner Lavoie.

Chair Lozeau requested a vote by roll call to favorably endorse R-09-168.

Commissioner Gagnon: Opposed.

Commissioner Lavoie: Opposed.

Commissioner Pappas: In Favor.

Commissioner Dyer: In Favor.

Chair Lozeau: In Favor.

MOTION CARRIED: Majority.

*B. R-09-176-AUTHORIZING THE MAYOR AND CITY TREASURER TO BORROW AN AMOUNT NOT TO EXCEED FIFTY-ONE MILLION THREE-HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$51,325,000) THROUGH THE ISSUANCE OF BONDS AND/OR A LOAN THROUGH THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES STATED REVOLVING LOAN FUND FOR EXPENSES RELATED TO THE WET WEATHER FACILITY AND THE DISINFECTION FACILITY*

MOTION: Commissioner Lavoie to forward a favorable endorsement of R-09-176 to the Board of Aldermen.

SECONDED: Commissioner Gagnon.

MOTION CARRIED: Unanimous.

*C. O-09-61- AMENDING SEWER USER FEES RATES AND CHARGES*

MOTION: Commissioner Lavoie to forward a favorable endorsement of O-09-61 to the Board of Aldermen.

SECONDED: Commissioner Pappas.

MOTION CARRIED: Unanimous.

*V. Street Department*

*A. Motion: To approve the hiring of Mr. Ralph Alicea to the position of Serviceman Driver at the Street Department. Funding for this position is found in the Street Department operating budget in account number 553-11630-6930.*

Interim Director Fredette informed the Board that the position was for a Serviceman not a Serviceman Driver.

The Board concurred.

MOTION: Commissioner Pappas to approve the hiring of Mr. Ralph Alicea to the position of Serviceman at the Street Department. Funding for this position is found in the Street Department operating budget in account number 553-11630-6930.

SECONDED: Commissioner Gagnon.

MOTION CARRIED: Unanimous.

*VI. Engineering Department*

*A. Motion: To approve the Residential Wastewater Service Permits and Fees as submitted.*

MOTION: Commissioner Gagnon to approve the Residential Wastewater Service Permits and

Fees as submitted.

SECONDED: Commissioner Pappas.

MOTION CARRIED: Unanimous.

**B. Motion:** *To recommend acceptance for public use and maintenance the following streets: Carnation Circle 480 linear feet, Daylily Drive 960 linear feet, Hibiscus Way 2,040 linear feet, Jonquil Lane 230 linear feet.*

MOTION: Commissioner Gagnon to recommend acceptance for public use and maintenance the following streets: Carnation Circle 480 linear feet, Daylily Drive 960 linear feet, Hibiscus Way 2,040 linear feet, Jonquil Lane 230 linear feet.

SECONDED: Commissioner Pappas.

MOTION CARRIED: Unanimous.

**C. Motion:** *To award the contract for the Miscellaneous Sewerage Improvements 2009 project to Park Construction Corporation of Fitzwilliam, New Hampshire in the amount of \$393,120.00. Funding for this contract will be through account #792-59232-3795-0000, Wastewater Treatment Facility, Capital Improvement – Sewer Rehabilitation. The contract award is contingent upon the approval of the sewer rate increase (O-09-61) and bonding approval (R-09-176).*

MOTION: Commissioner Pappas to award the contract for the Miscellaneous Sewerage Improvements 2009 project to Park Construction Corporation of Fitzwilliam, New Hampshire in the amount of \$393,120.00. Funding for this contract will be through account #792-59232-3795-0000, Wastewater Treatment Facility, Capital Improvement – Sewer Rehabilitation. The contract award is contingent upon the approval of the sewer rate increase (O-09-61) and bonding approval (R-09-176).

SECONDED: Commissioner Lavoie.

A discussion was had regarding the allocation of funds pertaining to the miscellaneous sewer rehabilitation project and paving.

MOTION: Commissioner Pappas to remove Van Buren and Buck Street from the requested Miscellaneous Sewerage Improvement 2009 Project.

SECONDED: Commissioner Lavoie.

MOTION CARRIED:

**D. Motion:** *To award the Professional Engineering Contract for the Nashua Levee Certification to Darrow Civil Engineering, PLLC in the amount not to exceed \$28,900. Funding will be through #308-83058-6211-6106, Loss Prevention. A transfer will be prepared from both 551 and 512 to reimburse a portion back to the Loss Prevention account.*

MOTION: Commissioner Pappas to award the Professional Engineering Contract for the Nashua Levee Certification to Darrow Civil Engineering, PLLC in the amount not to exceed \$28,900. Funding will be through #308-83058-6211-6106, Loss Prevention. A transfer will be prepared from both 551 and 512 to reimburse a portion back to the Loss Prevention account.

SECONDED: Commissioner Lavoie.

MOTION CARRIED: Unanimous.

**E. Motion:** *To approve Amendment No. 1 to Hazen and Sawyer, P.C. construction phase services contract for the CSO System Optimization and Infrastructure Improvements project in the amount of \$24,378. Funding for this amendment will be through account #792-530753793-0000, CSO System Optimization Improvements – Construction Phase Services.*

MOTION: Commissioner Gagnon to approve Amendment No. 1 to Hazen and Sawyer, P.C. construction phase services contract for the CSO System Optimization and Infrastructure Improvements project in the amount of \$24,378. Funding for this amendment will be through

account #792-53075-3793-0000, CSO System Optimization Improvements – Construction Phase Services.

SECONDED: Commissioner Pappas.

MOTION CARRIED: Unanimous.

**F. Motion:** To approve the award of the construction contract for the FY09 Paving Program to Brox Industries in the amount of \$ 1,068,775. Funding for this contract will be through accounts:

\$400,184.12	ETF – Street Paving 953-45030-5331-0000
\$62,687.66	CIP - Street Paving – FY06 653-07-0000-0000
\$120,092.97	CIP – Street Paving - FY08 653-14-0000-0000
\$428,865.25	CIP – Street Paving - FY09 653-21-0000-0000
\$56,945.00	Sewer REHAB – Wastewater 792-53183-3795-0000

MOTION: Commissioner Pappas to approve the award of the construction contract for the FY09 Paving Program to Brox Industries in the amount of \$ 1,068,775. Funding for this contract will be through accounts:

\$400,184.12	ETF – Street Paving 953-45030-5331-0000
\$62,687.66	CIP - Street Paving – FY06 653-07-0000-0000
\$120,092.97	CIP – Street Paving - FY08 653-14-0000-0000
\$428,865.25	CIP – Street Paving - FY09 653-21-0000-0000
\$56,945.00	Sewer REHAB – Wastewater 792-53183-3795-0000

SECONDED: Commissioner Lavoie.

A discussion was had regarding the implementation of the paving program.

Chair Lozeau requested that a left hand turn lane be added by the Stellos Stadium entrance.

**G. Motion:** To approve Change Order No. 19 to the construction contract for the Wet Weather Flow Treatment Facility to Methuen Construction Corp., in the amount of \$48,267.50. Funding for this change order will be through account #792-01310-3799-0000, Wet Weather Flow Treatment Facility Construction.

MOTION: Commissioner Pappas to approve Change Order No. 19 to the construction contract for the Wet Weather Flow Treatment Facility to Methuen Construction Corp., in the amount of \$48,267.50. Funding for this change order will be through account #792-01310-3799-0000, Wet Weather Flow Treatment Facility Construction.

SECONDED: Commissioner Gagnon.

MOTION CARRIED: Unanimous.

**H. Informational:** Results of Re-evaluation Study of CSO Control for CSO 5 and CSO 6 - Recommended Plan for Alternative Projects and Recommended Implementation Schedule

MOTION: Commissioner Pappas to place Informational item H on file.

SECONDED: Commissioner Lavoie.

MOTION CARRIED: Unanimous.

**I. Informational:** American Recovery and Reinvestment Act of 2009 (Stimulus Package) – Draft Clean Water SRF Priority Lists: Wastewater Projects, Green Infrastructure – Nonpoint Source (Stormwater) Projects, Green Infrastructure - Energy Efficiency Projects

MOTION: Commissioner Pappas to place Informational item I. on file.  
SECONDED: Commissioner Gagnon.  
MOTION CARRIED: Unanimous.

**J.**     *Informational: Stormwater Management Program - Update on Drainage Problems List and Stormwater Program*

MOTION: Commissioner Pappas to place Informational item J. on file.  
SECONDED: Commissioner Lavoie.  
MOTION CARRIED: Unanimous.

**K.**     *Informational: Request for Proposal and City Job Posting for the Broad Street Parkway Project Manager.*

MOTION: Commissioner Pappas to place Informational item K. on file.  
SECONDED: Commissioner Lavoie.  
MOTION CARRIED: Unanimous.

*VII.   Solid Waste Department*

**A.   **Motion:**** *To approve the purchase of four (4) reconditioned wheels and teeth to be installed on the City's back-up landfill compactor in the amount of \$31,325. Funding for this purchase may be found in account #801-77020-8001-8100.*

MOTION: Commissioner Gagnon to approve the purchase of four (4) reconditioned wheels and teeth to be installed on the City's back-up landfill compactor in the amount of \$31,325. Funding for this purchase may be found in account #801-77020-8001-8100.  
SECONDED: Commissioner Lavoie.  
MOTION CARRIED: Unanimous.

**B.   *Informational: Memo: Recycling Program Updates***

MOTION: Commissioner Pappas to accept item B and place it on file.  
SECONDED: Commissioner Lavoie.

Chair Lozeau mentioned that the deadline to join the co-op was by the end of May and that the Board needs to respond accordingly before the deadline.

Kerry Converse, Interim Superintendent, Solid Waste Department stated that the contract was currently being reviewed by the city's legal and risk management departments. He added that there was also a meeting scheduled with the Mayor to review the contract.

Chair Lozeau said she would forward the contract to the commissioners after legal's review. She asked that any questions be brought to the attention of Director Fredette, or herself, prior to the next meeting, so as to move forward at the May meeting.

Chair Lozeau also asked the Swap Shop be revisited at the next meeting.

The Board concurred.

MOTION CARRIED: Unanimous

*VIII. Director's Report*

Interim Director, Dave Fredette presented the Director's Report highlighting several divisional projects with the Board.

He informed the Board that a tour of the Four Hills Landfill will be scheduled in June as well as an Open House, with the neighborhood, at the new Wet Weather Facility.

*IX. Commissioners Comments*

Commissioner Gagnon mentioned that he witnessed a city employee riding the meter collection vehicle recklessly.

Commissioner Gagnon asked why a "gator" was purchased instead of a pushcart and asked for further information at the next meeting.

Commissioner Lavoie requested a non-public session to discuss Holman Stadium at the next meeting.

Commissioner Pappas discussed graffiti on the Utility Box at the Mt. Pleasant School.

Aldermanic Liaison Deane said thank you to the Parks & Recreation Department for the early spring clean-up efforts.

MOTION: Commissioner Pappas to adjourn at 5:00 p.m.

SECONDED: Commissioner Lavoie.

MOTION CARRIED: Unanimous.

*Transcribed By  
Kathie Berube  
BPW/DPW Administrative Assistant III*